

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

FUTURE PROOF BRANDS, LLC D/B/A
BEATBOX BEVERAGES, LLC, *a Texas*
limited liability company,

Plaintiff,

v.

BEVSOURCE, INC., *a Minnesota*
corporation; CROWN VALLEY
WINERY, INC. D/B/A CROWN
VALLEY WINERY, *a Missouri*
corporation; and DOES 1-10,

Defendants.

No.: 21-CV-00741 (WMW/TNL)

**AFFIDAVIT OF
REBECCA DULAC IN SUPPORT
OF DEFENDANT
BEVSOURCE, INC.'S MOTION
FOR PARTIAL SUMMARY
JUDGMENT**

Rebecca DuLac, being first duly sworn upon oath, deposes and states as follows:

1. My name is Rebecca DuLac, and I am the Chief Financial Officer for BevSource, Inc. ("BevSource"), a defendant in the above-captioned matter. I submit this Affidavit based on my personal knowledge and in support of Defendant's Motion for Partial Summary Judgment filed in this case. The contents of this Affidavit are true and correct to the best of my knowledge and understanding.

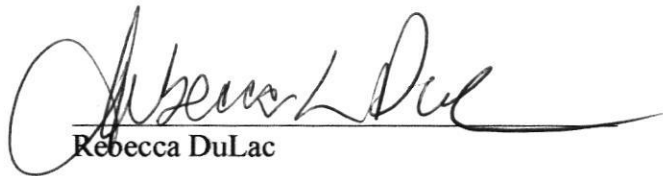
2. BevSource is an independent consultant that assists beverage companies in product development and beverage operations services for their clients' products. On November 1, 2018, Plaintiff Beatbox Beverages, LLC ("Plaintiff") and BevSource entered into a Master Services Agreement (the "MSA"), wherein they agreed that BevSource would act as an independent consultant for Plaintiff's efforts to manufacture certain of

Plaintiff's products and established the terms of the parties' respective obligations for that engagement. A true and correct copy of the MSA was filed as Exhibit A with Plaintiff's Complaint in this action.

3. I was personally involved in the negotiation and execution of the MSA on behalf of BevSource. There was no bargaining power disparity between Plaintiff and BevSource in the negotiation and execution of the MSA.

4. BevSource does not provide essential or public services generally, and the specific independent consulting services provided by BevSource under the MSA are not essential or public.

FURTHER YOUR AFFIANT SAYETH NOT.


Rebecca DuLac

Subscribed and sworn before me
this 11th day of May, 2022.


Notary Public

